

REMARKS/ARGUMENTS

Claims 1, 4 - 11, 13, 17, and 21 - 29 remain in this application. Claims 2, 3, 12, 14 - 16, and 18 - 20 are hereby canceled without prejudice or disclaimer. Claims 1, 4, 13, and 17 are hereby amended. Support for the amendments to these claims may be found in the claims as originally presented.

Claims 1 - 29 are rejected under 35 U.S.C. 103(a) as unpatentable over Wong, *et al.*, US Pat. No. 5,667,838 (hereinafter referred to as "Wong") in view of Brabbs, US Pat. No. 4,569,714 (hereinafter referred to as "Brabbs" and the Jif Recipes. Wong, in view of Brabbs and Jif Recipes does not teach or suggest a snack bar comprising a super-stabilized nut spread having 1 to 4% more stabilizer than a traditional nut spread and a penetration value of from about 130 to 300 penetration units. Wong is directed to nut spreads, particularly peanut butters and peanut spreads, such as the starting materials for the present invention. Brabbs is directed to filled, baked snack products, including peanut butter filled snacks. The Jif Recipes are recipes for consumers to make desserts in their homes. The combination of these references does not teach or suggest the claimed invention. The combination of these references does not teach super-stabilized nut spreads. The combination of these references does not teach or suggest a snack bar that has a penetration value of from about 130 to about 300 penetration units (mm/10).

Wong, in fact, teaches a new method of preparing nut spreads, such as peanut butters, having a lower viscosity than had been previously practical. See, Wong, column 3, lines 33-35. Super-stablizing the peanut butter would be antithetical to Wong's purpose. Brabbs teaches a new process for making a filled snack product wherein a filling, such as unmodified peanut butter, may be baked at the same time as the outer dough shell. See Brabbs, column 2, lines 20-22 and column 8, embodiments 1 and 2, for example. There is no teaching or suggestion in Brabbs to super-stabilize the peanut butter that was used, to the contrary, Brabbs teaches that when using unmodified peanut butter, a soft filling may be achieved. Jif recipes teaches home recipes for desserts using unmodified Jif peanut butter. Nowhere do any of references teach using super-stabilized peanut butter. No combination of these references teach or suggest making or using a super-stabilized peanut butter. No combination of these references teach or suggest a snack bar having a penetration value of about 130 to 300 penetration units (mm/10) at 21°C. No combination of these references teach or suggest a method of making a snack bar

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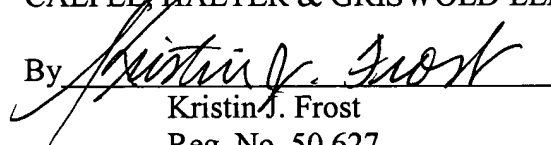
having a penetration value of about 130 to 300 penetration units (mm/10) at 21°C. Since all of the claim limitations are not taught or suggested by the cited references, Applicant submits that claims 1, 4 - 11, 13, 17, and 21 - 29 are patentable over those references.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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